

REMARKS/ARGUMENTS

(#) Numbers in parentheses correspond to paragraph numbers of the Office Action.

(1) Reexamination and reconsideration of this application as amended is requested. By this Amendment, claims 1, 6, 7, 9, 13, 15-17, 22 and 23 are amended. Claims 2, 5, 8, 10, 14, 18 and 24 are canceled without prejudice. New claims 25-32 are added. The new claims find support in the original specification; therefore, no new matter was added by the new claims. After this Amendment, claims 1, 3, 4, 6, 7, 9, 11-13, 15-17, 19, 20, 22, 23, and 25-31 remain pending in this application.

(2) The Examiner objected to the drawings for failure to comply with 37 CFR 1.84(p)(4). By this amendment, FIG. 2 of the drawings was corrected.

(3) The Examiner objected to the specification on account of several informalities. By this amendment, all the informalities pointed out by the Examiner were corrected, along with several additional minor informalities discovered by the Applicants. No new matter was added.

(4) The Examiner objected to the claims on account of two informalities. By this amendment, both of the informalities pointed out by the Examiner were corrected.

Claims Rejection under 35 U.S.C. §102

(5-6) The Examiner rejected claims 1-4, 9-12 and 17-20 under 35 U.S.C. §102(e), as being anticipated by Maddocks et al., (Pub. No. US2004/0201627 A1).

Independent claims 1, 9 and 17 have been amended in several respects. For example, the second element of amended claim 1 now reads,

“displaying on a local computer a data file that contains a plurality of textual representations, each textual representation corresponding to one computer operating system command of the plurality of computer operating system commands;”

Maddocks et al., do not disclose displaying a data file that contains a textual representation corresponding to a computer operating system command.

As another example, the last element of amended claim 1 now reads,

*“sending the selection of at least one computer operating system command to a plurality of remote computers communicatively coupled to the local computer via a computer network for **concurrent execution** of the selection of at least one computer operating system command on at least two of the plurality of remote computers.”*

Maddocks et al., do not disclose concurrent execution of an operating system command on more than one computer.

Therefore, Applicants believe that Maddocks et al., do not teach the presently claimed invention.

The changes made to claim 1 find support in the specification. For example, “a command script file”, which is recited in the first element of amended claim 1, is supported at page 5, line 24. The “textual representations”, which is recited in the second element of amended claim 1, is supported on page 9, lines 17-19. The terms “remote computers” and “computer network”, which are recited in the last element of amended claim 1, are supported at page 6, lines 23-28. The “concurrent execution”, which is recited in the last element of amended claim 1, is supported on page 6, lines 1-3, where “simultaneous execution” is described.

The issues in independent claims 9 and 17 are similar to the issues, discussed above, in independent claim 1; therefore, independent claims 9 and 17 will not be individually addressed.

In addition, claims 3, 4, 11, 12, 19 and 20 depend upon amended claim 1, 9 and 17, respectively, and because dependent claims recite all the limitations of the independent claim, it is believed that claims 3, 4, 11, 12, 19 and 20 also recite in allowable form.

Therefore, in view of the foregoing remarks, Applicants believe that the rejection of claims 1-4, 9-12 and 17-20 under 35 U.S.C. §102(e) has been overcome. Applicants request that the Examiner allow claims 1, 3, 4, 9, 11, 12, 17, 19 and 20 (the other claims that were rejected as being anticipated by Maddocks et al., have been canceled).

(7) The Examiner rejected claims 8 and 24 under 35 U.S.C. §102(e), as being anticipated by Foster et al., (U.S. Pat. No. 6,684,260).

By this amendment, claims 8 and 24 have been canceled. Therefore, Applicants believe that the rejection of claims 8 and 24 under 35 U.S.C. §102(e) has been overcome.

Claim Rejections - 35 USC §103

(8-9) The Examiner rejected claims 5-7, 14-16 and 21-23 under 35 U.S.C. §103(a) as being unpatentable over Maddocks et al., (Pub. No. US2004/0201627 A1) and Bonnell et al., (U.S. Pat. No. 5,655,081).

Claims 5, 14 and 21 have been canceled. Claims 6, 7, 15, 16, 22 and 23 depend upon independent amended claims 1, 9 and 17 respectively, and because dependent claims recite all the limitations of the independent claim, it is believed that dependent claims 6, 7, 15, 16, 22 and 23 also recite in allowable form. In view of the remarks set forth regarding independent amended claims 1, 9 and 17, Applicants believe that the combination of Maddocks et al., and Bonnell et al., does not teach or suggest all the steps of amended claims 6, 7, 15, 16, 22 and 23, and that the rejection of these claims under 35 U.S.C. §103(a) has been overcome. Therefore, Applicants request that the Examiner allow amended claims 6, 7, 15, 16, 22 and 23.

By this amendment, claims 6, 7, 15, 16, 22 and 23 were amended to make them consistent with the independent claims from which they depend, and not for patentability or to further limit the claim in view of any prior art. No new matter was added.

(10) The Examiner rejected claim 13 under 35 U.S.C. §103(a) as being unpatentable over Maddocks et al., (Pub. No. US2004/0201627 A1) and Foster et al., (U.S. Pat. No. 6,684,260).

Claim 13 depends upon independent amended claim 9, and because dependent claims recite all the limitations of the independent claim, it is believed that dependent claim 13 also recites in allowable form. In view of the remarks set forth regarding independent amended claim 9, Applicants believe that the combination of Maddocks et al., and Foster et al., does not teach or suggest all the steps of amended claim 13, and that the rejection of this claim under 35 U.S.C. §103(a) has been overcome. Therefore, Applicants request that the Examiner allow amended claim 13.

By this amendment, claim 13 was amended to correct a minor informality, and not for patentability or to further limit the claim in view of any prior art. No new matter was added.

(11) The prior art made of record on attached form PTO-892 and not relied upon was reviewed by Applicants and is not considered pertinent to Applicants' disclosure.

Conclusion

(12) The foregoing is submitted as a full and complete response to the Office Action mailed April 29, 2004, and it is suggested that claims 1, 3, 4, 6, 7, 9, 11-13, 15-17, 19, 20, 22, 23, and 25-31 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of claims 1, 3, 4, 6, 7, 9, 11-13, 15-17, 19, 20, 22, 23, and 25-31 is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants acknowledge the continuing duty of candor and good faith to disclose information known to be material to the examination of this application. In accordance with 37 CFR §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

The present application, after entry of this amendment, comprises twenty-four (24) claims, including four (4) independent claims. Applicants have previously paid for twenty-four (24) claims including five (5) independent claims. Applicants, therefore, believe that an additional fee for claims amendment is currently not due.

If the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account 50-1556.

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

Respectfully submitted,

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